

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN GABRIEL ALVAREZ,

Petitioner,

v.

PAUL THOMPSON,

Respondent.

No. 2:21-cv-01777-TLN-CKD

ORDER

Petitioner, a federal prisoner proceeding *pro se*, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 25, 2022, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 11.) Neither party has filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

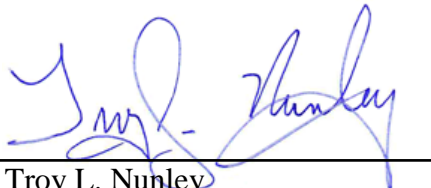
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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed April 25, 2022, (ECF No. 11), are adopted in full.
2. Respondent's Motion to Dismiss, (ECF No. 8), is GRANTED.
3. Petitioner's Application for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 is DISMISSED without prejudice based on lack of ripeness.
4. The Clerk of Court shall close this action.

DATED: July 12, 2022



Troy L. Nunley
United States District Judge